

**SUMMARY REPORT DIGEST-
COMPLAINT REGISTER INVESTIGATION NO.:
CHICAGO POLICE DEPARTMENT**

297724

DATE OF REPORT (DAY-MO.-YEAR)

08 January 2005

To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED or in SUSTAINED cases where the Disciplinary Recommendation does not exceed FIVE (5) DAYS SUSPENSION.

SUBMIT ORIGINAL AND 3 COPIES IF ASSIGNED TO SAME UNIT AS ACCUSED.
SUBMIT ORIGINAL AND 4 COPIES IF NOT ASSIGNED TO SAME UNIT AS ACCUSED.

TO: SUPERINTENDENT OF POLICE

ATTENTION

☐ ADMINISTRATOR IN CHARGE, OFFICE OF PROFESSIONAL STANDARDS
☒ ASSISTANT DEPUTY SUPERINTENDENT, INTERNAL AFFAIRS DIVISION

FROM-INVESTIGATOR'S NAME Nelson I. Perez				RANK Sgt	STAR NO. 1101	SOCIAL SEC. NO.	EMPLOYEE NO. [REDACTED]	UNIT ASSIGN. 010
ADDRESS OF INCIDENT 24 [REDACTED] W. Coyle				DATE OF INCIDENT - TIME 05 May 2004 2300		BEAT OF INCIDENT 2411		LOCATION CODE* 01
ACCUSED	NAME 1. Cunningham, Aaron			RANK P.O.	STAR NO. 15522	SOCIAL SEC. NO.	EMPLOYEE NO. [REDACTED]	UNIT ASSIGN. 010
	2.							
	SEX/RACE 1. M/2	D.O.B. [REDACTED] 1967	DATE OF APPOINTMENT 29 Jun 1998		DUTY STATUS (TIME OF INCIDENT) <input type="checkbox"/> ON DUTY <input checked="" type="checkbox"/> OFF DUTY		<input checked="" type="checkbox"/> SWORN <input type="checkbox"/> CIVILIAN	PHYS. COND. CODE† 01
	2.				<input type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY		<input type="checkbox"/> SWORN <input type="checkbox"/> CIVILIAN	
	IF APPLICABLE - DATE ARRESTED/INDICTED		CHARGES			COURT BRANCH	DISPOSITION & DATE	
1.								
2.								
COMPLAINANTS	NAME		ADDRESS**		CITY STATE	TELEPHONE	SEX/RACE M/2	D.O.B./AGE
	[REDACTED]		[REDACTED]					PHYS. COND. CODE† 01
VICTIMS	NAME		ADDRESS**		CITY STATE	TELEPHONE	SEX/RACE	D.O.B./AGE
								PHYS. COND. CODE†
WITNESSES	NAME		ADDRESS**		CITY STATE	TELEPHONE	SEX/RACE	D.O.B./AGE
								PHYS. COND. CODE†

☐ SEE ATTACHED SHEET FOR ADDITIONAL ACCUSED, COMPLAINANTS, VICTIMS, WITNESSES.

IT IS REPORTED THAT THE ACCUSED LOST HIS WEAPON BEARING SERIAL NUMBER [REDACTED]

ALLEGATIONS

I.A.D. LOCATION CODES*

01 Food Sales/Restaurant	11 Public Transportation Veh./Facility
02 Tavern/Liquor Store	12 Park District Property
03 Other Business Establishment	13 Airport
04 Police Building	14 Public Property Other
05 Lockup Facility	15 Other Private Premise
06 Police Maintenance Facility	16 Expressway/Interstate System
07 CPD Automotive Pound Facility	17 Public Way - Other
08 Other Police Property	18 Waterway, Incl. Park District
09 Police Communications System	19 Private Residence
10 Court Room	

I.A.D. PHYSICAL CONDITION CODES†

01 No Visible Injury - Apparently Normal
02 No Visible Injury - Under Influence
03 Injured, Not Hospitalized
04 Injured, Not Hospitalized - Under Influence
05 Injured, Hospitalized
06 Injured, Hospitalized - Under Influence
07 Injured, Refused Medical Aid
08 Injured, Refused Medical Aid - Under Influence
09 Deceased
10 Deceased - Under Influence

* IF CPD MEMBER, LIST RANK, STAR, SOCIAL SECURITY, EMPLOYEE NOS. IN ADDRESS BOX, PAX/BELL IN TELEPHONE BOX.

Briefly summarize the investigation describing your efforts to prove or disprove the allegation(s). Indicate whether witnesses or evidence support or do not support the allegation(s).
In sustained cases ONLY, copies of the accused member's Summary of Previous Disciplinary Actions and Record of Previous Complimentary History will be included as attachments.

THIS INVESTIGATION WAS A REASSIGNMENT AND GIVEN TO R/SGT. ON 17 NOV. 2004.

R/SGT. WAS ASSIGNED TO INVESTIGATE THIS COMPLAINT AGAINST OFFICER AARON CUNNINGHAM #15522. THE COMPLAINT AGAINST DEPARTMENT MEMBER ALLEGES THAT ON 05 MAY 2004, OFFICER CUNNINGHAM LOST HIS WEAPON BEARING SERIAL [REDACTED] WHILE OFF DUTY. (ATT.#1)

R/SGT. OBTAINED THE ORIGINAL CR INITIATION REPORT ILLUSTRATING THAT OFFICER CUNNINGHAM NOTIFIED HIS UNIT OF HIS WEAPON BEING LOST OR MISPLACED AND A COMPLAINT REGISTER NUMBER WAS OBTAINED BY THE ON DUTY DESK SGT. RICARDO RIVERA #943. (ATT. 2)

ON 21 NOV. 2004, R/SGT. OBTAINED A CLEAR DATA WAREHOUSE REPORT ILLUSTRATING THAT OFFICER CUNNINGHAM OBTAINED A LOST AND FOUND CASE REPORT UNDER RD# - HK346645 DETAILING HIS DUTY WEAPONS DESCRIPTION AND SERIAL NUMBER. (ATT. 3)

R/SGT. OBTAINED SIGNED LEGAL DOCUMENTS FROM SGT. PETER OCHOA #1370 WITH OFFICER CUNNINGHAM'S SIGNATURE (ATT.4,5,6) OFFICER CUNNINGHAM PROVIDED A DETAILED REPORT DESCRIBING THE EVENTS THAT LEAD TO THE OFFICER MISPLACING HIS WEAPON. (ATT. 7)

SUMMARY

ATTACHMENTS	INVESTIGATIVE REPORTS- SUPPORTING ALLEGATION LIST ATTACHMENT NUMBERS:	INVESTIGATIVE REPORTS- SUPPORTING ACCUSED MEMBER(S) LIST ATTACHMENT NUMBERS:	PHYSICAL EVIDENCE LIST ATTACHMENT NUMBERS:	TOTAL NUMBER OF ATTACHMENTS SUBMITTED WITH THIS FILE:
	0	0	0	16

Summarize the findings and recommendations. Rule violations will be cited by number only. One overall recommendation for Disciplinary Action will be made by the investigator. The recommendation will be for ALL sustained findings; recommendations will NOT be made for each sustained allegation.
Example: 1. Violation noted, no disciplinary action warranted. 2. That the accused member be reprimanded. 3. That the accused member be suspended for days (not to exceed 5 days).

ALLEGATION: THAT THE ACCUSED LOST HIS WEAPON [REDACTED]

FINDINGS: SUSTAINED, THE MEMBER VIOLATED RULE 13 IN THAT HE FAILED TO ADEQUATELY SECURE AND CARE FOR HIS WEAPON.

RECOMMENDATION: AFTER CONSIDERING THE MEMBERS COMPLIMENTARY AND DISCIPLINARY HISTORIES THE R/SGT. RECOMMENDS A ONE (1) DAY SUSPENSION.

FINDINGS--RECOMMENDATIONS

REVIEWED BY [REDACTED]

FEB 23 2006

DATE INITIATED (DATE COMPLAINT WAS RECEIVED FOR INVESTIGATION) 14 MAY 2004	DATE COMPLETED (DATE OF THIS REPORT) 08 JAN. 2005	ELAPSED TIME (TOTAL TIME, EXPRESSED IN DAYS) 218
Investigator will initiate the Command Channel Review form by completing the Investigator's Section.		INVESTIGATOR'S SIGNATURE [REDACTED]

IF NECESSARY, USE AN 8½ x 11" SHEET OF WHITE PAPER TO CONTINUE ANY ITEM.

On 22 Nov 2004 R/Sgt. spoke with Officer Cunningham about his weapon, to which he related the events that lead to him losing his weapon. Officer Cunningham further related that after he reported his weapon missing, he recieved a call from his wife who is also a Chicago Police Officer alerting him that she found his weapon behind their bathroom toliet. R/Sgt. is submitting a detailed report of this conversation with Officer Cunningham (att#8).

R/Sgt. obtained a copies of Officer Cunnigham's Complimentary and Disciplinary histories through the CLEAR data warehouse and IAD (att#9,10,11).

R/Sgt. at this point is concluding this investigation.

R/Sgt. believes that this infraction is merely an oversight on the officer's part. Officer Cunningham lost his weapon in an area that is under control by, not one, but two police officers. [REDACTED]

R/Sgt. feels that Officer Cunningham failed to exercise due diligence in securing his duty weapon.

R/Sgt. believes that Officer Cunningham should have thoroughly searched his residence, before reporting for work the following day. His actions placed the on duty desk Sergeant in a position that forced him to obtain a Complaint number in order to comply with departmental guidelines.

Complaint Register Number 297724
Evidence List

Attachment List

Attachment Number

Complaint against Department Member	1
CLEAR Data warehouse printout of Officer Aaron Cunningham Info	2
Original CR initiation report #297724	3
CLEAR Data warehouse printout of Case Report # HK 346645	4
Notification of CR Investigation	5
Legal Documentation for P.O. A. Cunningham #15522	6,7,8
To/From Subject Report from P.O. A. Cunningham #15522	9
To/From Subject Report from Sgt. Nelson I. Perez #1101	10a,10b
Disciplinary History	11,12
Complimentary History	13
Request for Extensions	14

Complaint Register
Number 297724
Evidence List